

MEMO ENDORSED

HOFFINGER STERN & ROSS, LLP

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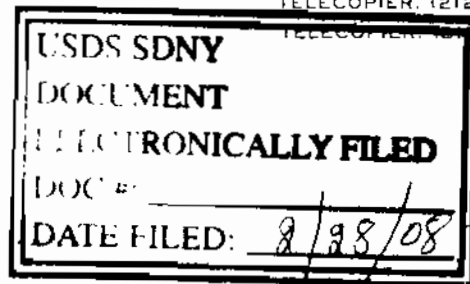
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February 21, 2008

By Hand

Hon. Lewis A. Kaplan
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

FEB 25 2008

Re: Amusement Industry, Inc., et ano v. Moses
Stern, et al.
Case No. 07 CV 11586

Dear Judge Kaplan:

We represent defendants Moses Stern, First Republic Group Realty, LLC, Ephraim Frenkel and Land Title Associates Escrow in the above action.

Currently, Your Honor has scheduled an Initial Pretrial Conference in this matter for February 28, 2008 at 10 a.m..

I write for three (3) reasons:

1. To advise counsel for all parties in this matter have conferred and wish to submit the attached Pre-Trial Conference Report.
2. To advise that in accordance with the extension of time to answer or move with respect to the complaint "So Ordered" by the Court on January 28, 2008, all of the named defendants intend to file motions to dismiss the action by February 27, 2008. We understand that, pursuant to Your Honor's rules, the filing of a motions to dismiss the entire complaint results in a "cancellation" of the initial scheduling/pretrial conference.

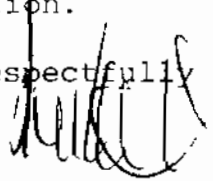
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3. To advise that having conferred counsel for all of the parties are requesting that the conference not be cancelled, and, that it go forward as scheduled in Your Honor's February 5, 2008 Order on February 28, 2008 at 10.00 a.m. in courtroom 12 D at 500 Pearl Street.

Thank you for Your Honor's consideration.

Respectfully yours,


Stephen R. Stern

cc: Philip R. White, Esq. (Plaintiffs' counsel) (by e mail and fax)
Allen P. Sragow, Esq. (Plaintiffs' counsel) (by e mail and fax)
Jonathan Lupkin, Esq. (counsel for Defendant Joshua Safrin by e mail and fax) (by fax)

Granted
SO ORDERED


LEWIS A. KAPLAN, USDJ
2/21/08